

REMARKS

Claims 106-120, 122-133, and 135-154 are pending in this Application, with Claims 106, 122, and 140 being independent. In this Amendment, Claims 106, 116, 118, 119, 140, 148, and 154 have been amended, and Claim 121 has been cancelled. All amendments presented herein are made for clarity with respect to the specification and drawings, and not for reasons relating to the statutory requirements for patentability.

Claims 106-121 and 140-154 were rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite for the reasons set forth in paragraph 3 of the Office Action. Without conceding the propriety of the rejection, Applicants respectfully request that the rejection be withdrawn in view of the amendments to Claims 106, 116, 118, 119, and 140 set forth above. In addition, with respect to the rejection of Claims 118 and 119, Applicants submit that the claims do not limit the size or the shape of the container that is used to form the airtight container with a seal, and that the sample comprising a bottle and the sample comprising a preform are placed in a container having an adequate shape/size to hold them, as would be understood by one skilled in the art.

Claims 106-133 and 135-139 are rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over the combination of Villain in view of Moore, Drake, and Chen. Applicants respectfully traverse this rejection, for the reasons set forth in Applicants' previously-filed Amendments/Remarks, and because newly-applied Villain also fails to disclose or suggest methods for measuring gaseous acetaldehyde by reacting it with an MBTH reagent coated on an alumina carrier.

Applicants have attached hereto a Declaration under 37 C.F.R. § 1.132 of inventor Loong-Tak Lim, Ph.D., which includes additional test data that supports Applicants' contention that the claimed invention is fully patentable over the cited art. The test data demonstrates that the use of MBTH on an alumina carrier provides unexpectedly superior results as compared to the cited art in which other combinations of a acetaldehyde-reactive reagents and carriers are disclosed.

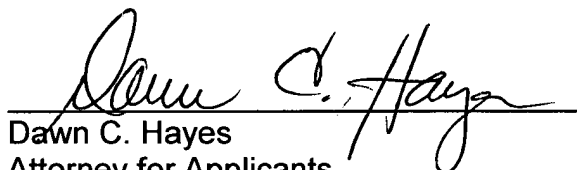
Claims 140-154 were not rejected over the applied art, and Applicants submit that the art of record fails to disclose or suggest methods for measuring gaseous

acetaldehyde by providing an airtight syringe having an acetaldehyde-reactive reagent coated on an inert reagent carrier disposed within the needle thereof, where the needle of the syringe may be inserted into an airtight container, and the reagent/carrier extended into the airtight container to react with gaseous acetaldehyde contained therein.

Conclusion

Applicants submit that, in view of the amendments and remarks set forth above, this application is in condition for allowance, and respectfully request prompt issuance of a notice thereof. If anything else is deemed necessary to place this application in condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney in our Washington, D.C. office by telephone at (202) 625-3549. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Dawn C. Hayes
Attorney for Applicants
Registration No. 44,751

Patent Administrator
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street, Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061